

Serial No. 10/784,549

## REMARKS

Claims 48-69 are pending in this application. Claims 1-19 were cancelled in an earlier Amendment, and claims 20-47 are canceled herein. New claims 48 and 66 are the independent claims. Support for new claims 48-69 may be found throughout the specification and in original claims 1-47.

### Rejection Under 35 U.S.C. 103(a) - Claims 20-47

Claims 20-47 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Shapovalov et al. (U.S. Patent No. 6,563,080) in view of Freedenburg et al. (U.S. Patent No. 5,620,618). This rejection is made moot by the cancellation of claims 20-47 herein.

New claims 48-65 are believed to be patentable over the cited references because neither reference shows the claimed conical mirror having an apex with an aperture therethrough that is traversed by a longitudinal axis of the workpiece. Likewise, claims 66-69 are believed to be patentable because neither of the cited references show redirecting the radiation beam so that it is scanned about a circumference of the tubular workpiece without rotation of the tubular workpiece. Rather, Shapovalov et al. can only scan the beam around tubular workpiece by rotating the workpiece.

### Obviousness-Type Double Patenting Rejection - Claims 20, 22, 25-29, 38-40 and 44-47

Claims 20, 22, 25-29, 38-40 and 44-47 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-6 and 15-19 of U.S. Patent No. 6,696,667. This objection is made moot by the cancellation of claims 20-47 herein.

## Conclusion

In view of the foregoing, it is believed that the application is now in condition for allowance, and early passage of this case to issue is respectfully requested. If the Examiner believes there are still unresolved issues, a telephone call to the undersigned would be welcomed.

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**JUN 28 2007**

Fees

The \$790 RCE fee, and any additional fees that may be due and owing in respect to this amendment, may be charged to the undersigned attorney's PTO Deposit Account number 50-1047.

Respectfully submitted,



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